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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/563,219	06/01/2006	Yukiko Takeda	GOTO.0040	1435
38327	7590	04/21/2010	EXAMINER	
Juan Carlos A. Marquez c/o Stites & Harbison PLLC 1199 North Fairfax Street Suite 900 Alexandria, VA 22314-1437			DIVECHA, NISHANT B	
			ART UNIT	PAPER NUMBER
			2466	
			MAIL DATE	DELIVERY MODE
			04/21/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action Before the Filing of an Appeal Brief	Application No. 10/563,219	Applicant(s) TAKEDA ET AL.	
	Examiner NISHANT B. DIVECHA	Art Unit 2466	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 05 April 2010 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 4 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.

/Daniel J. Ryman/
Supervisory Patent Examiner, Art Unit 2466

/Nishant B Divecha/
Examiner, Art Unit 2466

Continuation of 11. does NOT place the application in condition for allowance because: Applicant arguments are not persuasive. Specifically, applicant argued that the non-provisional to Windget is not supported by its provisionals. More specifically, applicant claiming priority to provisional '507 does not support non provisional. Examiner respectfully disagrees with applicant. First it is noted that as per rule 1.116(e), applicant should have provided sufficient reasoning while the evidence was previously not presented. Therefore, it is noted that applicant has failed to provide reasoning why the above was not previously presented and therefore at least for this reason the after final is not entered. Further, Application '507 at the least support disclosure of TLS in an effort to generate master key. see drawings page 1. The drawing discloses that in authenticating the client, TLS is used, whereby master key is generated. Further arguably assuming, Windget failed to disclosed above arguments subject matter, AAPA further discloses use of TLS to provide security feature to the client. Page 6, last paragraph. Therefore, at least one reference discloses the claimed feature and therefore the prima facie has sufficiently been established. Applicant further argues that the first and second process are not discloses by the cited art. Specifically, applicant argues that the first process is a process for terminating security process for the received packet. In support of this applicant refers to the citation examiner cited and concludes that the cited prior art merely discloses end to end security process and implementation of security protocol. Examiner disagrees with the characterization of the art. Specifically, one of ordinary skill in the art would understand the implementation of security process disclosed by Takeda and equate to the security process of claim 1. Claim 1 merely defines a protocol process as a process for terminating a first security process. The first security process in this case is a security protocol and the node specifically terminates that protocol because it discloses using the protocol to provide security provisions to the client. As such, the first process is a process for terminating a first security process is fully disclosed by Takeda. It is further notes that as applicant concedes onpage 9 of the arguments, the claim as it currently stands does not require "any discussion of how any security process applying such a protocol would be implemented in a particular system nor any mention or suggestion of any particular terminal on which any process for terminating a security process is executing." The claim merely requires a termination of security process which is disclosed by Takeda, because Takeda discloses implementation of security process and recovery of packet, thereby terminating the security process. Therefore, at least Takeda discloses the claimed features. Similar arguments are presented for claim 11. Thus it is believed that the above arguments sufficiently address applicants concern. Further applicants, IDS submitted by applicant list two references that discloses applicants claimed feature. Therefore, At least in response to the after final, the amendment does not put the case in condition for allowance. Applicants amendment regarding claim 21, is entered and the rejection under 112, 2nd paragraph is withdrawn.